

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-12684-WGY

KATHLEEN P. MULLINIX,
Plaintiff

v.

KIKI BOGORAD-GROSS AND
LEONARD P. BOGORAD, AS THEY
ARE EXECUTORS OF THE WILL OF
LAWRENCE BOGORAD,
Defendants

DEFENDANTS' MOTION FOR EXTENSION
OF TIME TO RESPOND TO COMPLAINT

The defendants move that the time within which they shall answer or otherwise plead in response to the Complaint and Demand for Jury Trial shall be extended to and including February 28, 2005, which is the forty-eighth day after January 11, 2005, when the defendants' responsive pleading would otherwise be required.

This motion is based upon the following facts:

1. The defendants are the surviving children and executors of the will of Lawrence Bogorad.

2. Lawrence Bogorad was also survived by his wife, who has Alzheimer's disease, is a resident of a nursing home, and is under a legal disability.

3. The plaintiff's claim is based upon contracts allegedly made by the decedent prior to his death.

4. The plaintiff and the defendants are in the midst of settlement negotiations.

5. Judicial approval of any settlement in the Middlesex Probate and Family Court may be required in this case, which would also involve a recommendation for approval by the guardian ad litem on behalf of the surviving widow.

6. The parties believe that an extension to and including February 28, 2005, should allow them sufficient time to complete any procedures required in the Middlesex Probate and Family Court, if a settlement is reached promptly, thereby obviating the need to file an Answer to the present Complaint.

7. The defendants believe that this procedure can be completed by February 28, 2005, if a settlement is reached promptly, thereby obviating the need to file an Answer to the present Complaint.

s/Michael R. Coppock
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Allowance Assented to:

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